

# APPENDIX G: ANNEXATION PLAN, POLICY, AND PROGRAM

## A Resolution

Adopted Resolution No. 2598

### ADOPTING AN ANNEXATION PLAN FOR THE CITY OF FORT WORTH

**WHEREAS**, the 76<sup>th</sup> Texas Legislature adopted SB 89, which made substantial amendments to the Texas Annexation Act, Chapter 43, Texas Local Government Code, effective September 1, 1999;

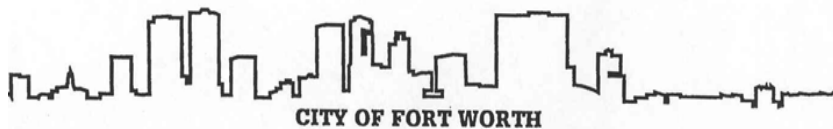
**WHEREAS**, Section 17(b) of SB 89 requires that each city adopt an annexation plan on or before December 31, 1999, that includes territory the city plans to annex three years from the date the territory is placed in the plan in accordance with Section 43.052, Texas Local Government Code;

**WHEREAS**, SB 89 provides several exceptions that authorize cities to annex territory without placing the territory in an annexation plan;

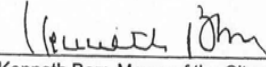
**WHEREAS**, for the foreseeable future, annexations contemplated by the City of Fort Worth come within one or more of these exceptions;

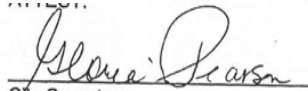
### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

That the City Council has reviewed the future expansion needs of the City and the prospects for development within the City's extraterritorial jurisdiction. After studying the effects of amendments to the Texas Annexation Act enacted by SB 89, 76<sup>th</sup> Texas Legislature, the City Council has determined that, at this time, the City does not intend to annex any territory that is required to be in an annexation plan in order to be annexed. The City Council reserves the right to amend this annexation plan in the future to add territory for annexation.

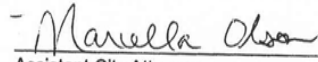


This annexation plan is approved this 14<sup>th</sup> day of December, 1999, and shall become effective on December 31, 1999.

  
Kenneth Barr, Mayor of the City of Fort Worth

  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
Assistant City Attorney

### Summary of Annexation Plan Amendment Activity

Amendment No.	Resolution No.	Adoption Date	Action
1	2860	8/13/2002	Added Linkwood Estates (152 acres).
2	2863	8/20/2002	Added El Rancho Estates (198 acres).
3	2884	10/29/2002	Added Eagle Mountain Zone (7,744 acres) and 287 Zone (1,238 acres).
4	2897	12/3/2002	Removed Linkwood Estates (152 acres) and El Rancho Estates (198 acres).
5	2946	5/20/2003	Removed 21 acres from 287 Zone to facilitate owner-initiated annexation.
6	3097	6/22/2004	Removed Eagle Mountain Zone (1,238 acres) to execute agreement for provision of services in lieu of annexation.
7	3101	6/29/2004	Removed 67 acres from 287 Zone to facilitate owner-initiated annexation.
8	3200	5/10/2005	Removed 12 acres from 287 Zone to facilitate owner-initiated annexation.
9	3201	5/10/2005	Removed 200 acres from 287 Zone to facilitate owner-initiated annexation.
10	3261	10/18/2005	Removed 327 acres from 287 Zone to facilitate owner-initiated annexation.
11	3262	10/18/2005	Removed 1 acre from 287 Zone to facilitate owner-initiated annexation.
12	3263	10/18/2005	Removed 15 acres from 287 Zone to facilitate owner-initiated annexation.
13	3267	10/25/2005	Removed 2 acres from 287 Zone to facilitate owner-initiated annexation.
14	3268	10/25/2005	Removed 350 acres from 287 Zone to facilitate owner-initiated annexation.
15	5269	10/25/2005	Removed 51 acres from 287 Zone.
17	3297	12/13/2005	Added 537 acres out of Jose Chirino Survey to facilitate owner-initiated annexation.
18	3298	12/13/2005	Added 178 acres out of the Jesse Billingsley Survey to facilitate owner-initiated annexation.

## ANNEXATION POLICY

### I. PURPOSE AND INTENT

The City of Fort Worth seeks to annex property within its extraterritorial jurisdiction for the following purposes:

- To promote orderly growth by facilitating long-range planning for the provision of municipal services and by applying appropriate land use regulations, development standards, property maintenance standards, fire codes, construction codes and environmental regulations.
- To diversify the economic base and create job opportunities by annexing property for commercial and industrial development.

To fulfill these purposes, the City has formulated this annexation policy in order to:

- Provide the City Council with more specific, objective, and prescriptive guidance for making annexation decisions.
- Enable the City to be more proactive in identifying areas for annexation by providing for an annually updated five-year annexation program.
- Provide for meaningful public participation in formulating the annexation program as part of the annual update of the City's Comprehensive Plan.

### II. DEFINITIONS

**Annexation** – The legal process by which a city extends its boundaries. A city may annex property only within its extraterritorial jurisdiction, unless the city owns the area.

**Annexation Plan** – A document required by Texas Local Government Code, Section 43.052, identifying certain kinds of areas that a city intends to annex.

1. The plan must identify any areas with 100 or more separate lots or tracts of land containing residential dwellings that the city intends to annex, unless more than 50 percent of the property owners request annexation.
2. The plan may also identify other areas.
3. Areas that are identified in the plan may only be annexed three years after the plan is adopted.

**Annexation Policy** – A set of guidelines for making annexation decisions.

**Annexation Program** – An annually updated document identifying areas that the City wishes to consider for initiation of annexation during the succeeding five-year period. The annexation program expresses the City's intent to consider specific areas for annexation, but is not legally binding. Inclusion of an area in the program does not obligate the City to annex that area, nor does exclusion of an area from the program prevent the City from annexing the area.

**Certificate of Convenience and Necessity** – A utility service area permit authorizing a specified utility to be the sole service provider.

**Disannexation** – The legal process by which a city removes an area from its boundaries.

**Enclave** – An area within the City's extraterritorial jurisdiction that is surrounded by the corporate limits of the City of Fort Worth and/or the corporate limits or extraterritorial jurisdiction of other municipalities.

**Extraordinary Economic Development Project** – A commercial or industrial project that is eligible for property tax abatement under the City's tax abatement policy as set forth in the Comprehensive Plan.

**Extraterritorial Jurisdiction (ETJ)** – Unincorporated area extending generally five miles from the city limit, excluding other incorporated municipalities and their ETJ, in which the City has the authority to annex property.

**Full Municipal Services** – Services provided by an annexing municipality within its full-purpose boundaries, including water and wastewater services and excluding gas or electrical service. The City of Fort Worth provides the following services, including but not limited to: fire and police protection; emergency medical services; access to water and wastewater services unless such services are provided by another utility; solid waste collection; operation and maintenance of parks, publicly-owned facilities, and streets; library services; drainage and storm sewer maintenance; enforcement of environmental health, zoning and subdivision ordinances; enforcement of building and construction codes; and inspection services.

**Full-Purpose Annexation** – The legal process for annexing an area in order to provide full municipal services. The city enforces all ordinances, provides services as provided by law, and assesses property taxes and sales taxes.

**Growth Center** – An area that contains, or has the capacity to contain, compact, higher intensity urban land uses, as designated by the City Council in the City's Comprehensive Plan. There are two types of growth centers:

- **Mixed-Use Growth Centers** – A highly urbanized area that has many characteristics of a downtown: a concentration of jobs, housing units, schools, parks, and other public facilities, public transportation hubs, pedestrian activity and a sense of place. This mix of uses supports sustainable development, which seeks to balance access, mobility, affordability, community cohesion, and environmental quality.
- **Industrial Growth Center** – An area consisting primarily of industrial and commercial uses, with a high concentration of jobs, mostly industrial in nature. Other related and supporting uses include office space and services. Unlike mixed-use growth centers, residential uses are generally discouraged within industrial growth centers.

**Infrastructure** – Facilities necessary to provide city services, usually referring to physical assets such as streets and utility lines.

**Limited-Purpose Annexation** – The legal process for annexing an area in order to provide only certain regulatory services for a specified period of time. Cities with populations of more than 225,000 have the authority to annex property for limited purposes. Cities may enforce planning, zoning, health and safety ordinances in areas annexed for limited purposes, but do not collect property or sales taxes or provide full municipal services. Residents may vote in city council elections and charter elections, but may not vote in bond elections or be elected to a city office.

**Long-Term Development** – Planned construction of residential, commercial and/or industrial uses that is anticipated to occur beyond a three-year timeframe.

**Municipal Utility District** – A political subdivision providing water, sewerage, drainage and/or other municipal services within a specified geographic area.

**Planning Study** – A document prepared by a municipality, pursuant to Section 43.123 of the Texas Local Government Code, prior to annexing an area for limited purposes, which identifies

projected development; the need for annexation; the impact of annexation on surrounding residents, landowners, and businesses; and the proposed zoning of the area.

**Protest Petition** – A statement expressing opposition to a proposed City-initiated annexation and containing the signatures of property owners representing 50 percent or more of the parcels within the territory to be annexed and 50 percent or more of the land area within that territory.

**Regulatory Plan** – A document adopted by the City Council, pursuant to Section 43.123 of the Texas Local Government Code, at the time an area is annexed for limited purposes, which identifies the planning, zoning, health and safety ordinances that will be enforced in the area and states the date by which the city will annex the area for full purposes.

**Service Plan** – A document adopted by the City Council, pursuant to Sections 43.056 and 43.065 of the Texas Local Government Code, describing the schedule for a municipality to provide full municipal services to an area annexed for full purposes. On the effective date of annexation, a municipality must provide: police and fire protection; emergency medical services; solid waste collection; operation and maintenance of water and wastewater facilities in the area that are not within the service area of another water or wastewater facility; and operation and maintenance of roads and streets (including lighting), parks, playgrounds, swimming pools and other publicly owned facilities, buildings or services if those services are provided by the municipality within its corporate boundaries. A municipality must provide full municipal services, which means all services provided within the city including water and wastewater services, within 2½ years after annexation but may extend the deadline to 4½ years after annexation for services that cannot reasonably be provided within 2½ years.

**Urban Development** – Development requiring water, sewerage and other municipal services to promote public health, safety and welfare. It may include residential development with a density equal to or greater than one dwelling unit per acre, as well as commercial and industrial development.

### III. ANNEXATION CRITERIA AND PROCEDURES

#### A. Full-Purpose Annexation

The City will consider full-purpose annexation of any area within its extraterritorial jurisdiction if and only if the area meets one or more of the following five criteria:

1. **Enclave:** The area meets both of the following conditions:
  - a. The area is an enclave and the City and its citizens would benefit from a logical city limit boundary that provides for the orderly and efficient provision of services; and
  - b. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city.
2. **Urban Development:** The area meets all three of the following conditions:
  - a. The City is aware of or anticipates development activity of an urban nature in the area; and
  - b. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city; and
  - c. The City has determined through an appropriate analysis of prospective revenues and expenditures, as described in Section V (Preparation of Fiscal Impact Analysis)

below, that cumulative revenues will exceed cumulative expenditures for each affected budget fund over the 10-year period immediately following annexation, or over a longer period as appropriate for long-term development.

3. **Growth Center:** The area meets all three of the following conditions:
  - a. The area encompasses a designated growth center and thus requires urban services to develop as planned; and
  - b. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city.
  - c. The City has determined through an appropriate analysis of prospective revenues and expenditures, as described in Section V (Preparation of Fiscal Impact Analysis) below, that cumulative revenues will exceed cumulative expenditures for each affected budget fund over the 10-year period immediately following annexation, or over a longer period as appropriate for long-term development.
4. **Adverse Impact:** The area meets both of the following conditions:
  - a. Without annexation, potential development activity is likely to have an adverse fiscal or environmental impact on the City due to unregulated land uses and the City's inability to enforce development standards, building codes and environmental regulations; and
  - b. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city.
5. **Option to Expand:** The area meets both of the following conditions:
  - a. Without annexation, interested parties may incorporate one or more separate municipalities or take other legal actions that might be detrimental to the City's orderly growth.
  - b. The City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the city.

In accordance with Sections 43.056 and 43.065 of the Texas Local Government Code, the Development Department shall prepare a service plan that provides for the extension of full municipal services to each area to be annexed for full purposes. The Development Department shall prepare the service plan after the City Council establishes the annexation timetable and shall make the plan available to the public for review and comment in advance of required public hearings. The City shall adopt the service plan by ordinance at the time the City annexes the area for full purposes.

#### B. Limited-Purpose Annexation

The City will consider limited-purpose annexation of any area if one or more of the five criteria in section A (Full-Purpose Annexation) above are met, and if either of the following two criteria is also met:

1. **Populated Area:** The area contains 100 or more separate lots or tracts of land containing residential dwellings and thus must be included in the municipal annexation plan three years prior to full-purpose annexation per State law. The area would be considered for limited-purpose annexation so that the City might control land use and the quality of development in that populated area, pending full-purpose annexation.



2. Long-Term Development: The area is proposed for long-term development. The City will determine the feasibility of entering into an agreement with the property owner(s) for limited-purpose annexation so as to establish the timing of full-purpose annexation. The agreement may provide for the property to be annexed for full purposes in phases.

In accordance with Section 43.123 of the Texas Local Government Code, the Development Department shall prepare a planning study and a regulatory plan regarding the proposed annexation of an area for limited purposes, and make the documents available to the public for review and comment in advance of required public hearings. The City shall adopt the regulatory plan by ordinance at the time the City annexes the area for limited purposes.

#### C. General Provisions

The following provisions apply to all proposed full- and limited-purpose annexations:

1. As a prerequisite for any proposed annexation, the City Manager shall certify that the proposed annexation would have no adverse effect upon the provision of municipal services within the City.
2. The City will annex any rights-of-way that are adjacent to and provide access to annexed property.

#### D. Protests of City-Initiated Annexation

1. Annexations Included in Annexation Plan: For any City-initiated annexation included in the annexation plan, the City shall comply with Sections 43.0562 and 43.0564 of the Texas Local Government Code as they prescribe procedures for negotiations and arbitration regarding the provision of municipal services.
2. Annexations Not Included in Annexation Plan: For any City-initiated annexation not included in the annexation plan, and not subject to any of the exemptions in paragraph 4 of this section, affected property owners may submit a protest petition to the Development Department prior to the date of the second City Council public hearing on that annexation. The Development Department shall determine the validity of this protest petition within 15 days of receipt. If the Development Department determines that the petition is valid, the City at that time shall request the petitioners to select five representatives to serve on a committee with City representatives to prepare the service plan (in the case of full-purpose annexation) or the regulatory plan (in the case of limited-purpose annexation). The service plan or the regulatory plan, as applicable, shall document any objections that have been expressed by a majority of the petitioners' representatives on this committee. In any decisions regarding the proposed annexation, the City Council shall take under advisement the City's receipt of the protest petition and all deliberations pertaining to the service plan or the regulatory plan, as applicable.
3. Third-Party Fiscal Impact Analysis: At the request of affected property owners, through a valid protest petition as defined herein, the City shall hire an independent certified public accountant to conduct a third-party fiscal impact analysis using the methodology set forth in Section V of this policy. This provision for third-party fiscal impact analysis shall not apply, however, to City-initiated annexations that are subject to any of the exemptions in paragraph 4 of this section.

4. Exemptions: The following kinds of annexation areas shall be exempt from the provisions of paragraphs 2 and 3:
  - Street rights-of-way;
  - Enclaves existing as of the date of adoption of this policy (see Map 1, attached), with fewer than 100 lots or tracts containing residential dwellings;
  - Interjurisdictional boundary adjustments;
  - Areas with environmental conditions that pose an imminent threat to public health and safety, as determined by the City Council;
  - Areas that are subject to extraordinary economic development projects; and
  - Areas with the minimum length and width necessary to provide contiguity with the city limits for owner-initiated annexations.

#### IV. DISANNEXTION

In accordance with Section 43.141 of the Texas Local Government Code, a majority of the qualified voters of an annexed area may petition the City Council to disannex the area if the City fails to provide services to the area within the period specified by the service plan. Similarly, the City may seek to disannex an area if it determines that it is unable to provide municipal services to that area in accordance with State law.

#### V. PREPARATION OF FISCAL IMPACT ANALYSIS

For any proposed annexation, the Budget Office, in cooperation with other pertinent departments, shall conduct a fiscal impact analysis that considers prospective revenues and expenditures for both the General Fund and the Water and Sewer Fund. The Budget Office shall prepare a fiscal impact report for review by the City Council, and shall make such report available for public review upon request.

##### A. Revenues

The following revenues shall be considered:

1. Property taxes to be generated by existing land uses, based on Tarrant Appraisal District assessed values and the City's current property tax rate.
2. Property taxes to be generated by proposed land uses, based on anticipated assessed values and the City's current property tax rate.
3. Sales taxes.
4. Other General Fund revenues including: Other Local Taxes, Licenses and Permits, Fines and Forfeitures, Use of Money and Property, Service Charges, and Other Revenue.
5. Water and wastewater tap and impact fees.
6. Water and wastewater service fees.

##### B. Expenditures

The following expenditures shall be considered:

1. Operation and maintenance costs for all municipal services
2. Required capital improvements

### C. Analysis Timeframe

The number of years in the analysis shall be based on the estimated build-out of the development, the repayment timetable for any debt assumed in the analysis, or 10 years, whichever is longer.

### D. Per Capita Data Sources

For budget information, the most recently adopted Annual Budget shall be used. For total population and land use data, the most recently adopted Comprehensive Plan shall be used.

### E. Population Estimate

To estimate population for an area, the number of housing units proposed for construction or annexation shall be multiplied by the average household size for Fort Worth, or for a comparable area within Fort Worth, according to the latest U.S. Census.

### F. Methodology

1. Areas with Existing or Proposed Development: If an area is fully developed, or substantially undeveloped but subject to an approved concept plan and/or preliminary plat, the analysis shall be based on the following guidelines.
  - a. For any undeveloped areas, the anticipated rate of development shall be based on the construction timetable provided by the property owner.
  - b. Sales tax revenues and other General Fund revenues (item A 4 above) shall be estimated on a per capita or per acre basis, as appropriate.
  - c. Water and wastewater revenues shall be based on existing land uses and any proposed land uses provided by the property owner.
  - d. Expenditures shall be estimated on a per capita, per acre, or per linear foot basis, as appropriate, unless actual costs can be determined.
2. Other Areas: If an area is undeveloped and not subject to an approved concept plan or preliminary plat, the analysis shall be based on the following guidelines.
  - a. The mix of land uses shall be as depicted in the Comprehensive Plan.
  - b. The anticipated rate of development shall be based on the annual growth rate for the pertinent planning sector of the city.
  - c. Sales tax revenues and other General Fund revenues (item A 4 above) shall be estimated on a per capita or per acre basis, as appropriate.
  - d. Water and wastewater revenues shall be based on the future land uses identified in the Comprehensive Plan.
  - e. Expenditures shall be estimated on a per capita, per acre, or per linear foot basis, as appropriate, unless actual costs can be determined.

### G. Timing for Preparation of Fiscal Impact Analysis

1. Annexations Initiated by Property Owners: Upon receipt of a valid annexation petition and application, the Budget Office shall conduct the fiscal impact analysis within 30 days and prior to the City Council public hearing on establishing the annexation timetable. As an alternative, the City will verify the accuracy of the fiscal impact analysis submitted by the property owners prior to initiating the annexation process.

2. Annexations Initiated by the City: The City will conduct the fiscal impact analysis prior to scheduling the required City Council public hearing on establishing the annexation timetable.

## VI. PREPARATION OF FIVE-YEAR ANNEXATION PROGRAM

The Planning Department, in cooperation with the Development Department and other pertinent departments, shall prepare an annexation program that identifies areas that the City wishes to consider for initiation of annexation during the succeeding five-year period. The program shall be incorporated into the City's Comprehensive Plan, and revised as part of the annual update. The program will estimate the year in which each proposed annexation might occur. In preparing its capital improvement program and annual operating budget, the City shall determine the feasibility of providing municipal services to areas identified in the annexation program. The City shall involve property owners and community organizations from the extraterritorial jurisdiction, as well as those from the City itself, in formulating the five-year annexation program.

In formulating the annexation program, the City shall assign priority to annexing areas that are located within the geographic scope of its Certificate of Convenience and Necessity (CCN), within the geographic scope of another CCN that complies with the City of Fort Worth's standards for water and wastewater infrastructure, or within a Municipal Utility District that complies with such standards.

The City wishes to allocate sufficient time for the transition of proposed annexation areas from the ETJ into the city. This transitional period would enable the City to arrange for the provision of adequate municipal services, and would enable affected property owners to prepare for the impacts of annexation. Accordingly, the annexation program shall delay any City-initiated annexations for three years or more from the date of the annexation area's initial inclusion in the program. The following kinds of annexation areas, however, shall be exempt from this waiting period:

- Street rights-of-way;
- Enclaves existing as of the date of adoption of this policy (see Map 1, attached), with fewer than 100 lots or tracts containing residential dwellings;
- Interjurisdictional boundary adjustments;
- Areas with environmental conditions that pose an imminent threat to public health and safety, as determined by the City Council;
- Areas that are subject to extraordinary economic development projects; and
- Areas with the minimum length and width necessary to provide contiguity with the city limits for owner-initiated annexations.

Inclusion of an area in the five-year annexation program does not obligate the City to annex that area. Similarly, exclusion of an area from the five-year annexation program does not prevent the City from annexing the area.

## VII. PREPARATION OF THREE-YEAR ANNEXATION PLAN

In accordance with Section 43.052 of the Texas Local Government Code, the City of Fort Worth shall amend its annexation plan to identify certain areas that the City intends to annex. The annexation plan must include any proposed annexation area with 100 or more separate lots or



tracts of land containing residential dwellings. An area identified in the plan may only be annexed beginning on the third anniversary of the date the plan is amended to include that area.

Upon adoption of the five-year annexation program, the Planning Department shall identify those areas with 100 or more separate lots or tracts of land containing residential dwellings and schedule necessary amendments to the annexation plan. The three-year annexation plan will not necessarily contain all the areas that are included in the five-year annexation program.

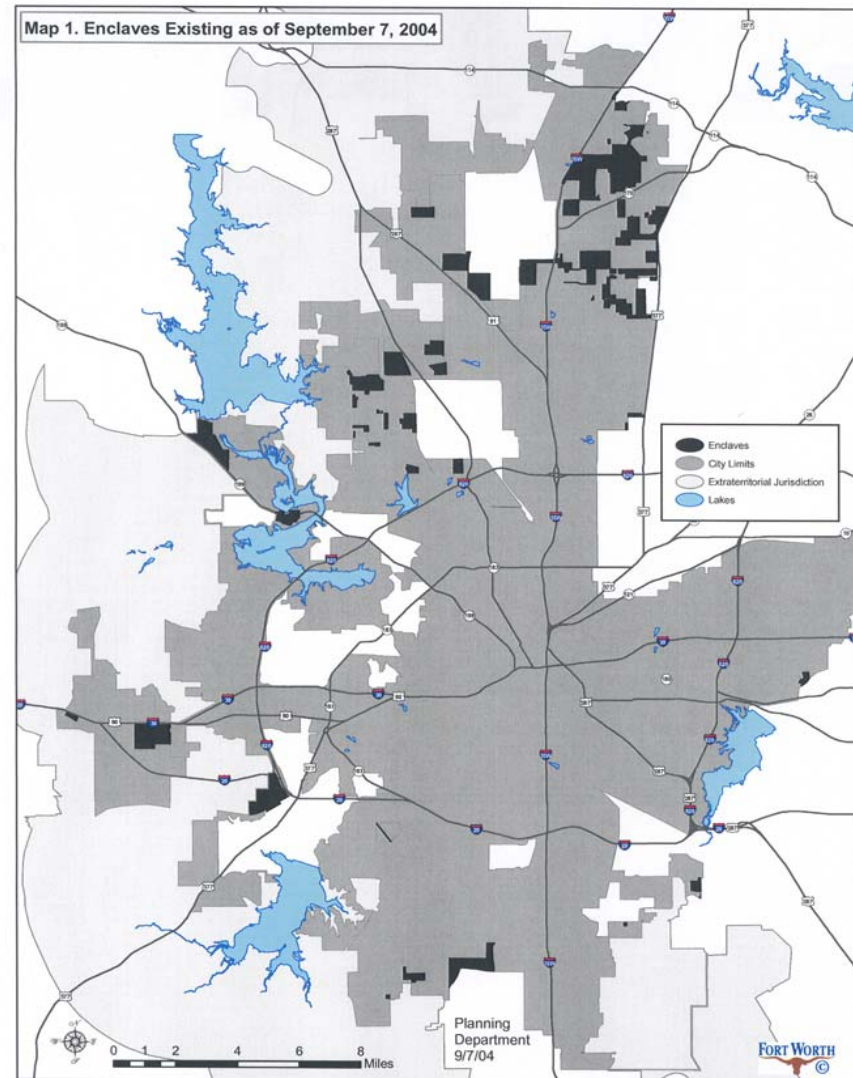
### VIII. EXTERNAL COMMUNICATION

In addition to public hearing requirements established by Sections 43.0561 and 43.124 of the Texas Local Government Code, the City of Fort Worth shall seek to communicate with City residents, affected property owners and pertinent government agencies throughout the annexation process. The City shall use its website, community meetings, direct mail, the City Page, and other appropriate media to disseminate information about any City-initiated annexation. Upon request, the City's Community Relations Department shall assist affected property owners in establishing neighborhood organizations so as to facilitate communication with the City.

The City shall seek public comments during the annual update of the annexation program at meetings of various community organizations throughout the City and its extraterritorial jurisdiction. At these meetings, the City shall explain the benefits of annexation, including full municipal services; planning, zoning, health and safety regulations; economic development; and orderly growth. The City shall also explain the costs to be incurred by the City and by affected property owners as a result of annexation.

Prior to conducting formal public hearings on any City-initiated annexation, the City shall conduct one or more public information meetings to explain the purpose of the annexation and to describe the annexation process. The City shall notify affected property owners about these meetings by direct mail.

Upon adoption of any annexation ordinance, the City shall notify the pertinent county government agencies and affected property owners.



## **FIVE-YEAR ANNEXATION PROGRAM**

**January 1, 2006 to December 31, 2010**

On September 7, 2004, the City Council adopted an annexation policy for the City of Fort Worth to provide more specific guidance for making annexation decisions, to be more proactive in identifying annexation areas, and to promote more meaningful citizen participation during the annexation process. The policy calls for the annual preparation of a five-year annexation program. The City Council adopted the first annexation program, as part of the Comprehensive Plan, on February 22, 2005.

This program identifies areas that the City wishes to consider for annexation during the succeeding five-year period. It expresses the City's intent to consider specific areas for annexation, but is not legally binding. Inclusion of an area in the program does not obligate the City to annex that area, nor does exclusion of an area from the program prevent the City from annexing the area. While the annexation program merely serves as a guide, its preparation enables the City to be more proactive in identifying areas that might be suitable for annexation and to involve affected property owners and other stakeholders well in advance of any annexation decisions. The program consists of this narrative and a set of maps and accompanying tables that describe the areas to be considered for annexation.

The annexation program is incorporated into the Comprehensive Plan and updated annually. The annexation program follows calendar years, and each year begins on January 1 and ends on December 31. The City anticipates that it will process any City-initiated annexations proposed during a specific year of the program during November and December of that year.

The City involves property owners and community organizations from the extraterritorial jurisdiction (ETJ), as well as those from within the City, in formulating the five-year annexation program. The City conducts meetings with pertinent local governments, property owners, and community organizations directly affected by potential annexations. In addition, the City conducts public hearings to receive comments on the annexation program from interested citizens. This narrative discusses the procedures followed to prepare the annexation program, the potential City-initiated and owner-initiated annexation areas over the next five years, the potential annexation areas over the subsequent six to twenty years, and the relationship of the annexation program to the City's Comprehensive Plan and capital improvement program.

### **Procedure to Prepare Annexation Program**

The annexation policy provides that the Planning Department, in cooperation with the Development Department and other pertinent departments, prepare the annexation program. Staff reviewed areas meeting the annexation criteria contained in the annexation policy, including:

- Enclaves,
- Areas of urban development,
- Designated growth centers,
- Areas posing an adverse environmental or financial impact if not annexed, and
- Areas deterring the City's option to expand.

The City assigned priority to areas that are located within the geographic scope of its Certificate of Convenience and Necessity (CCN) or within the geographic scope of another CCN that complies with the City of Fort Worth's standards for water and wastewater infrastructure. City staff from various departments, including Planning, Development, Water, Transportation and Public Works, Fire, Police, Budget, and Law, met to discuss potential areas satisfying the annexation criteria and to prioritize them for annexation over the next five years and beyond.

With this information, the Planning Department prepared a draft annexation program for review and discussion by the City Council, pertinent county governments, property owners, and community organizations directly affected by the annexation program. City staff held individual work sessions with the City Council members and their appointed Planning and Zoning Commissioners, and also with interested county commissioners. Citizens were also able to comment on the annexation program at a City Plan Commission public hearing and a City Council public hearing held as part of the annual update of the Comprehensive Plan.

### **Potential City-Initiated Annexation, 2006 – 2010**

The following sections describe areas for which the City may wish to initiate annexation proceedings within the next five years. Map 1 and Table 1 describe these areas in more detail. Any of these areas may be subject to property-owner initiated annexation before the year in which it is listed. Twenty potential City-initiated annexation areas, totaling 4,301 acres or 6.7 square miles, are included in the annexation program for the years 2006 to 2010.

The City wishes to allocate sufficient time for the transition of proposed annexation areas from the ETJ into the city. This transitional period enables the City to arrange for the provision of adequate municipal services, and enables affected property owners to prepare for the impacts of annexation. Accordingly, the annexation program delays City-initiated annexations, excluding enclaves and other areas described in the policy, for three years or more from the date of the area's initial inclusion in the program.

#### **Year 1: 2006**

The three areas identified for annexation during year 1 are enclaves within the City of Fort Worth's CCN that can be provided full municipal services upon annexation. In addition, one of the enclaves is part of the Hillwood mixed-use growth center and one is part of the Alliance Gateway mixed-use growth center, as designated in the Comprehensive Plan.

#### **Year 2: 2007**

The one area identified for annexation during year 2 is an enclave within the City of Fort Worth's CCN that can be provided full municipal services upon annexation.

#### **Year 3: 2008**

Seven of the eleven areas identified for annexation during year 3 are enclaves within the City of Fort Worth's CCN that can be provided full municipal services upon annexation. Two of the



enclaves contain more than 100 residential dwelling units and have been added to the City's annexation plan. An additional enclave is partially within another water provider's service area.

Two areas are bound by city limits on at least three sides and are located along existing or proposed major arterials where urban development is anticipated. A third area is designated as the SH 121/FM 1187 mixed-use growth center in the Comprehensive Plan. This area will be served by the extension of SH 121, which is expected to be completed in early 2009. All three areas are subject to the three-year transitional period prescribed in the annexation policy, and the City may first consider initiating annexation in 2008.

#### Year 4: 2009

One of the four areas identified for annexation during year 4 is an enclave within the City of Fort Worth's CCN that can be provided full municipal services upon annexation. One area is bound by city limits on three sides and is located at the intersection of State Highway 114 and FM 156. Due to adverse impacts on the site and proximity to the Texas Motor Speedway, staff recommends that the City consider annexation of the area in 2009, consistent with the three-year transitional period prescribed in the annexation policy.

The Willow Springs Ranch limited-purpose annexation area, consisting of 51 acres, is subject to an agreement that requires the City to provide services in lieu of annexation until January 1, 2009. According to the agreement, the City may consider initiating annexation of the area for full purposes in 2009.

The Eagle Mountain Zone limited-purpose annexation area, consisting of 1,238 acres, is subject to an agreement that requires the City to provide services in lieu of annexation until January 1, 2009. In 2009, the City may consider initiating annexation of this area for full purposes. This date, however, could be postponed pending an agreement between the property owners and the City. Should this occur, the area will be moved to the appropriate year in the annexation program.

#### Year 5: 2010

The one area identified for annexation during year 5 is an enclave within the City of Fort Worth's CCN that can be provided full municipal services upon annexation.

#### **Potential Owner-Initiated Annexation, 2006 – 2010**

The annexation program also considers areas within the City's ETJ for which property owners may wish to initiate annexation and which may meet the annexation criteria set forth in the policy. These areas are generally located in close proximity to water, wastewater, and fire services, and may be subject to valid preliminary plats and/or concept plans, or are anticipated sites for urban development. At this time, one potential owner-initiated annexation area has been identified outside of existing enclaves and limited-purpose annexation areas. This 281-acre area is shown on Map 1 and described in Table 1. The City expects that the owners of this property will pursue annexation in 2007. As new developments are proposed, those areas may be added to the annexation program during its annual update.

#### **Potential Annexation, 2011 – 2025**

The City has also evaluated enclaves, limited-purpose annexation areas, preliminary plats, and concept plans that may not be ready for annexation within the next five years, but may be considered in the next six to twenty years. Working Map 2 and Table 2 describe these areas in more detail. For enclaves and preliminary plats, these areas may not be within the City's CCN or be able to be served with City water, wastewater, or fire services in the near future. For limited-purpose annexation areas, they may be subject to development agreements with property owners, which require that portions of the areas be annexed for full purposes as they are platted.

Fifty-two potential annexation areas are considered for annexation during years 2011 to 2025. These areas consist of thirty-one existing enclaves, three potential enclaves, seven preliminary plats, four concept plans, two limited-purpose annexation areas, one area posing an adverse environmental impact, and four other areas of existing or anticipated urban development.

The Edwards-Geren limited-purpose annexation area, consisting of 277 acres, is scheduled to be annexed for full purposes by December 31, 2014. An enclave created by this limited-purpose annexation area will be considered for annexation through the City-initiated process at the same time.

The Walsh Ranch limited-purpose annexation area, consisting of 7,254 acres, is scheduled to be annexed for full purposes by May 26, 2026. An enclave created by this limited-purpose annexation area may be considered for annexation through the City-initiated process at the same time.

#### **Relationship to Comprehensive Plan and Capital Improvement Program**

The Comprehensive Plan is a general guide for making decisions about the City's growth and development. It presents a broad vision for Fort Worth's future and describes major policies, programs, and projects to realize that vision. The Comprehensive Plan contains both the annexation program and the capital improvement program as appendices. These programs are revised as part of the annual update of the Comprehensive Plan.

In preparing its capital improvement program, the City must determine the feasibility of providing municipal services to areas identified in the annexation program. The City has identified capital improvements, beyond those covered by the current bond program, that will be necessary to provide adequate municipal services to the potential annexation areas. These improvements are addressed on the next page according to the potential annexation year.



Year	Description of Needed Capital Improvements
Year 1: 2006	<p><b>Fire Stations:</b> The three enclaves identified would be served by existing fire stations #9, 31, and 37, and by proposed station #38.</p> <p><b>Roadways:</b></p> <ul style="list-style-type: none"> <li>To make comparable to area streets: \$362,000. Potential funding source: general fund.</li> <li>To meet City standards: \$2.9 million. Potential funding source: future bond program.</li> </ul> <p><b>Water and Sewer:</b> All extensions to be funded by developers of adjacent property and/or Water &amp; Wastewater capital improvement program.</p>
Year 2: 2007	<p><b>Fire Stations:</b> The one enclave would be served by existing fire stations #7 and 24.</p> <p><b>Roadways:</b> None.</p> <p><b>Water and Sewer:</b> All extensions to be funded by developers of adjacent property and/or Water &amp; Wastewater capital improvement program.</p>
Year 3: 2008	<p><b>Fire Stations:</b></p> <ul style="list-style-type: none"> <li>Ten of the eleven areas would be served by existing fire stations #13, 26, 32, 35, 36, 37, 39, and 40, and by proposed stations #11 and 38.</li> <li>Existing fire station #36 supports the SH 121/FM 1187 mixed-use growth center in the short term. A new fire station (unfunded) would be needed in the long term. Potential funding source: future bond program.</li> </ul> <p><b>Roadways:</b></p> <ul style="list-style-type: none"> <li>To make comparable to area streets: \$2.6 million. Potential funding source: general fund.</li> <li>To meet City standards: \$32.1 million. Potential funding source: future bond program.</li> </ul> <p><b>Water and Sewer:</b> All extensions to be funded by developers of adjacent property and/or Water &amp; Wastewater capital improvement program.</p>
Year 4: 2009	<p><b>Fire Stations:</b> The four areas would be served by existing fire stations #35 and 40, and by proposed stations in Harriett Creek (#11), Sendera Ranch, and the 287 Zone (#41).</p> <p><b>Roadways:</b></p> <ul style="list-style-type: none"> <li>To make comparable to area streets: \$619,000. Potential funding source: general fund</li> <li>To meet City standards: \$14.2 million. Potential funding source: future bond program.</li> </ul> <p><b>Water and Sewer:</b> All extensions to be funded by developers of adjacent property and/or Water &amp; Wastewater capital improvement program.</p>
Year 5: 2010	<p><b>Fire Stations:</b> The one enclave identified would be served by existing fire station #15.</p> <p><b>Roadways:</b> None.</p> <p><b>Water and Sewer:</b> All extensions to be funded by developers of adjacent property and/or Water &amp; Wastewater capital improvement program.</p>

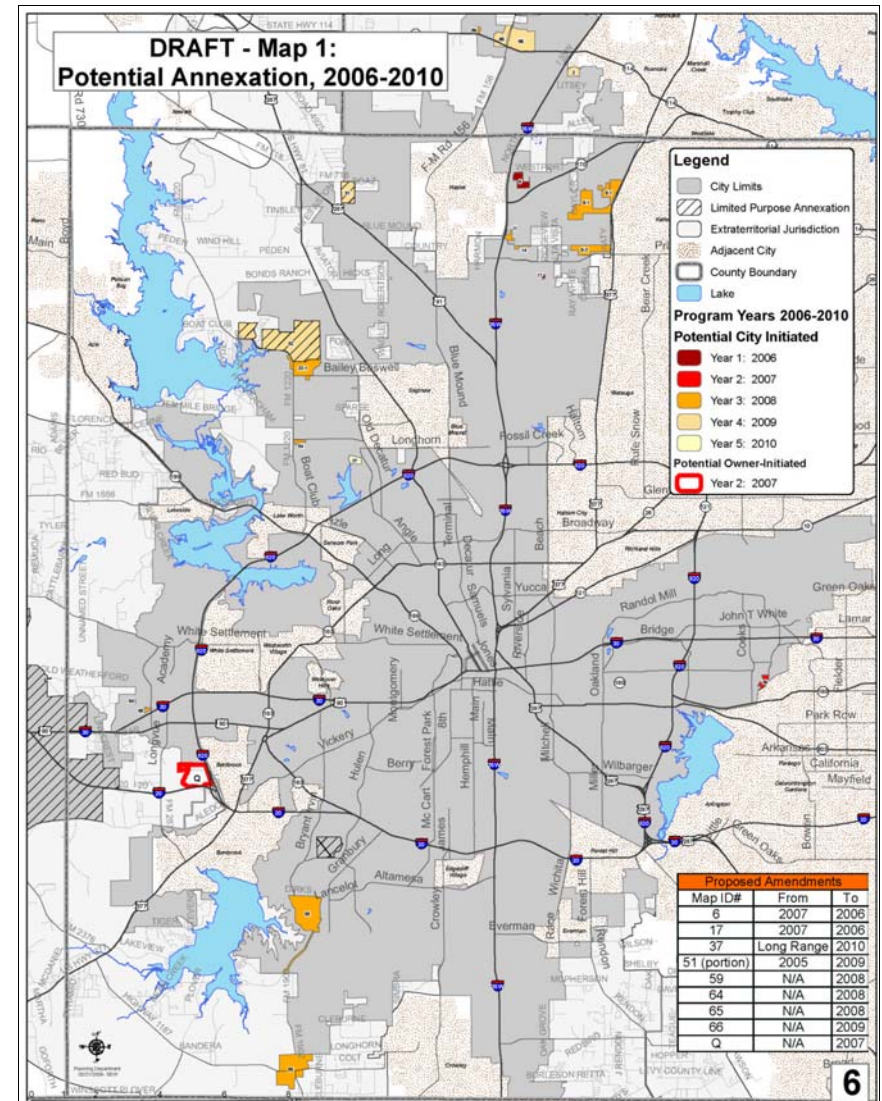
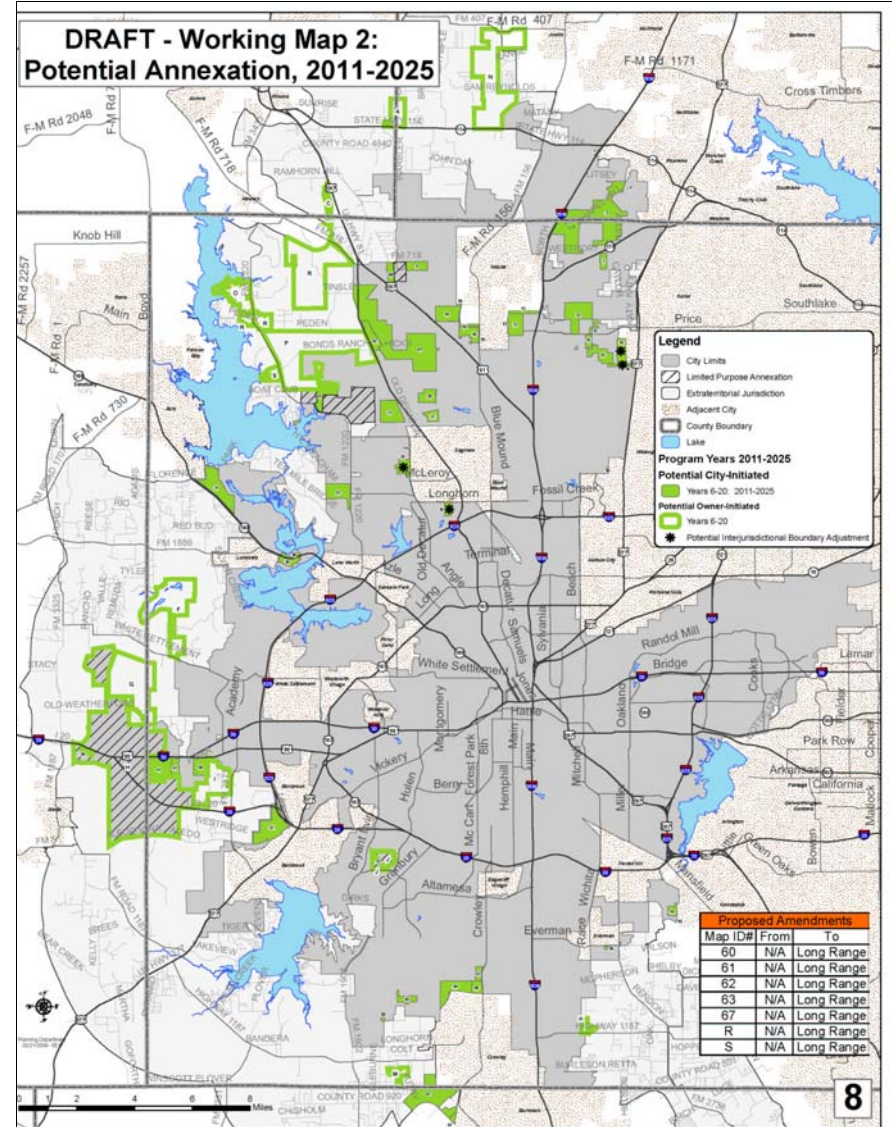


TABLE 1: ANNEXATION PROGRAM  
POTENTIAL ANNEXATION 2006-2010

Map ID #	CCN	Future Land Use	Acres	Res Parcels	Res Units	Non-Res Parcels	Assessed Value (\$)	land & improvements	Criteria to be Met	Program Year	Comments
POTENTIAL CITY-INITIATED ANNEXATION											
6	City of Fort Worth	IGC	163	4	4	13	1,734,186		enclave, growth center	2006	Staff anticipates ability to provide services in year 1. Portion subject to owner-initiated annexation in 2006.
17	City of Fort Worth	SF	5	2	2	0	167,600		enclave	2006	Staff anticipates ability to provide services in year 1.
39	City of Fort Worth	SF	51	0	0	7	562,277		enclave	2007	Staff anticipates ability to provide services in year 2.
8-1	City of Fort Worth	SF, INST, GC, LI	516	129	129	62	30,912,650		enclave	2008	Populated area added to annexation plan in 2005. Potential limited-purpose annexation in 2006.
8-3	City of Fort Worth	SF, MH, NC, LI	184	286	229	27	19,488,102		enclave, adverse impact	2008	Populated area added to annexation plan in 2005. Potential limited-purpose annexation in 2006.
11	City of Fort Worth	GC	37	0	0	5	1,254,181		enclave	2008	Staff anticipates ability to provide services in year 3.
14	City of Fort Worth	GC	17	20	18	4	3,361,826		enclave	2008	Staff anticipates ability to provide services in year 3.
23-1	City of Fort Worth	SF	254	0	0	4	1,184,845		enclave	2008	Staff anticipates ability to provide services in year 3.
54	City of Fort Worth	SF, INFRA	25	1	1	5	6,888,801		urban development	2008	Area subject to 3-year delay per annexation policy.
55	City of Fort Worth	SF, NC, GC, INFRA	593	0	0	23	10,302,271		urban development	2008	Area subject to 3-year delay per annexation policy.
56	None	MUGC	514	0	0	12	2,483,767		growth center	2008	Area subject to 3-year delay per annexation policy.
59	Aqua Utilities, Inc.	AG	10	1	1	1	83,664		enclave	2008	Staff anticipates ability to provide services in year 3.
64	City of Fort Worth	SF, NC	2	1	1	0	80,400		enclave	2008	Staff anticipates ability to provide services in year 3.
65	City of Fort Worth	GC	14	0	0	3	167,300		enclave	2008	Staff anticipates ability to provide services in year 3.
2	City of Fort Worth	SF, IGC, PRIPK	65	0	0	6	1,869,236		enclave	2009	Staff anticipates ability to provide services in year 4.
51	City of Fort Worth	SF	51	140	22	3	8,478,552		N/A: Annexed for limited purposes in 2002.	2009	Willow Springs Ranch limited-purpose annexation area subject to 10/28/05 contract with property owners and City decision no earlier than 1/1/09.
52	City of Fort Worth	SF, NC, INFRA	1,231	11	9	26	5,317,419		N/A: Annexed for limited purposes in 2002.	2009	Eagle Mountain Zone limited-purpose annexation area subject to 6/21/04 contract with property owners and City decision no earlier than 1/1/09.
66	City of Fort Worth	GC, PRIPK	393	4	4	14	5,307,557		adverse impact	2008	Part of area not currently in City's CCN. Staff anticipates ability to provide services in year 3.
	Aqua Utilities, Inc.	GC	117	2	2	28	2,957,789				
37	City of Fort Worth	SF	55	0	0	3	542,751		enclave	2010	Staff anticipates ability to provide services in year 5.
POTENTIAL OWNER-INITIATED ANNEXATION											
Q	City of Fort Worth	SF	281	0	0	2	3,624,054		N/A	2007	Staff anticipates ability to provide services in year 2.

Areas with gray shading contain or are anticipated to contain 100 or more dwelling units and will be added to the City's annexation plan when appropriate.





**TABLE 2: ANNEXATION PROGRAM  
POTENTIAL ANNEXATION, 2011 - 2025**

Map ID #	CCN	Future Land Use	Acres	Res Parcels	Res Units	Non-Res Parcels	Assessed Value (\$)	Criteria to be Met	Program Year	Comments
<b>POTENTIAL CITY-INITIATED ANNEXATION</b>										
1	Town of Northlake	IGC, MUGC	15	0	0	1	224,508	enclave, growth center	6-20	Area not currently in City's CCN.
3	City of Fort Worth	RURAL, SF, MUGC, IGC, INFRA	1,732	158	134	77	39,963,690	enclave, growth center	6-20	Populated area. Staff does not anticipate ability to provide services in 5 years.
4	City of Fort Worth	SF	1	3	2	0	254,999	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
7	City of Fort Worth	SUB, MUGC, INFRA	86	28	27	5	5,379,718	enclave, growth center	6-20	Staff does not anticipate ability to provide services in 5 years.
9	City of Fort Worth	SF	149	29	29	9	5,239,692	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
10	Aqua Utilities, Inc.	SF	185	52	48	3	14,364,448	enclave	6-20	Populated area not entirely in City's CCN. Staff does not anticipate ability to provide services in 5 years.
	City of Fort Worth	SF	282	219	186	0	47,309,299			
	City of Fort Worth	SF	25	0	0	1	4,448			
	City of Haslet	SF	46	12	7	2	1,288,811			
12	City of Fort Worth	RURAL, SF, MH, NC, LI	479	312	161	18	26,460,253	enclave	6-20	Populated area. Staff does not anticipate ability to provide services in 5 years.
13	City of Fort Worth	SF	247	11	10	31	7,766,627	enclave	6-20	Part of area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
	City of Haslet	SF, LI	66	0	0	13	5,332,494			
	City of Haslet	SF	5	0	0	1	469,055			
15	City of Fort Worth	SF, NC	291	49	36	32	16,297,433	enclave	6-20	Included in Table 2 per property owner request.
16*	City of Fort Worth	SF, INST	169	99	94	2	21,326,979	enclave	6-20	Included in Table 2 per property owner request. Possible interjurisdictional boundary adjustment.
18*	City of Fort Worth	SF, LI	57	109	109	1	34,059,134	enclave	6-20	Included in Table 2 per property owner request. Possible interjurisdictional boundary adjustment.
20	Aqua Utilities, Inc.	MH	164	119	115	1	10,409,560	enclave	6-20	Populated area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
21	Aqua Utilities, Inc.	SF	347	199	199	3	41,258,654	enclave	6-20	Populated area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
22	City of Fort Worth	SF	104	30	20	3	4,989,065	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
29*	City of Fort Worth	RURAL, SF	154	51	37	12	6,175,492	enclave	6-20	Staff does not anticipate ability to provide services in 5 years. Possible interjurisdictional boundary adjustment.
30	City of Watauga	SF	11	0	0	3	1,143,392	enclave	6-20	Area not currently in City's CCN.
31	City of Fort Worth	SF	473	94	70	34	14,564,729	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
36*	City of Fort Worth	INFRA	75	0	0	5	2,456,635	enclave	6-20	Tarrant County maintenance facility. Possible interjurisdictional boundary adjustment.
38	City of Fort Worth	SF, PUBPK	50	2	2	20	7,854,832	enclave	6-20	Populated area not entirely in City's CCN. Staff does not anticipate ability to provide services in 5 years.
	Town of Lakeside	SF, NC, GC	119	198	152	35	14,347,465			
40	None	LI	29	0	0	0	0	enclave	6-20	Area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
41	City of Fort Worth	SF, NC, LI	421	2	2	15	5,285,245	enclave	6-20	Part of area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
	Aqua Utilities, Inc.	SF, NC	109	236	138	14	14,988,318			
42	City of Fort Worth	SF, INFRA	518	0	0	14	3,377,257	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
43	City of Fort Worth	INFRA	9	0	0	2	324,337	enclave	6-20	Easement will come into City when Edwards-Geren limited-purpose annexation area (J) does.
44	City of Kennedale	INFRA, LI	73	11	9	7	951,733	enclave	6-20	Area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
45	City of Fort Worth	LI	3	1	1	3	306,064	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
46	City of Fort Worth	SF	8	3	1	0	93,139	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
47	City of Fort Worth	SF, LDR, NC, LI	65	5	4	22	3,173,616	enclave	6-20	Staff does not anticipate ability to provide services in 5 years.

**TABLE 2: ANNEXATION PROGRAM  
POTENTIAL ANNEXATION 2011-2025**

Map ID #	CCN	Square Feet	Future Land Use	Acres	Res Parcels	Res Units	Vacant Res Parcels	Non-Res Parcels	Assessed Value (\$)	Fiscal Impact (\$)	Devel. Impact (\$)	Water Plan Horizon	Water Option	Fire Drive Time < 5 min	Fire Drive Time 5-8 min	Police Option	TPW Costs (\$)	Criteria to be Met	Program Year	Comments
48	Aqua Utilities, Inc.	1430917	SF	339	291	271	20	1	42,231,547		no	> 5 yrs	none	partial				enclave	6-20	Populated area not entirely in City's CCN. Staff does not anticipate ability to provide services in 5 years.
	City of Fort Worth	4432406	SF, INST, LI	198	22	16	6	13	5,450,783											
49	City of Fort Worth	4875837	SF	107	1	1	0	4	2,426,548		no	> 5 yrs	none	none				enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
50	Johnson County	408481	NC	10	0	0	0	1	38,500		no	> 5 yrs	none	none				enclave	6-20	Area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
53	City of Fort Worth		SF, MDR, NC	302	0	0	0	1	877,780		yes							urban development	6-20	Staff does not anticipate ability to provide services in 5 years.
57	City of Fort Worth		SF	26	44	37	0	0	15,981,300									urban development	6-20	Staff does not anticipate ability to provide services in 5 years.
58	City of Fort Worth		RURAL, NC	191	64	54	3	0	12,637,280									enclave	6-20	Staff does not anticipate ability to provide services in 5 years.
60	KGJ Joint Venture (inactive)		SF	112	78	75	2	0	18,626,232			6-20						potential enclave	6-20	Populated area. Staff does not anticipate ability to provide services in 5 years.
61	Aqua Utilities, Inc.		SF, NC, LI	1,823	690	590		72	148,249,601			6-20						potential enclave	6-20	Populated area. Staff does not anticipate ability to provide services in 5 years.
62	Rio Concho Aviation, Inc.		RURAL, NC	172	0	0	0	495	28,137,418					2010				adverse impact	6-20	Area not currently in City's CCN.
63	City of Fort Worth		SF	230	157	128		1	3,711,093			6-20						potential enclave	6-20	Populated area. Staff does not anticipate ability to provide services in 5 years.
67	Johnson County		SF	774	2	2	14	0	6,304,666									urban development	6-20	Area not currently in City's CCN. Additional area included in development plan not in City's ETJ.
	None		SF	32	0	0	0	1	741,450									urban development	6-20	
<b>POTENTIAL OWNER-INITIATED ANNEXATION</b>																				
A	Aqua Utilities, Inc.		SF, NC	331	282	23		2	2,886,485					none	none	none		urban development	6-20	Area not currently in City's CCN.
B	Aqua Utilities, Inc.		AG, SF, NC	213	0	0	0	2	4,471,297					none	none	none		urban development	6-20	Area not currently in City's CCN.
C	Aqua Utilities, Inc.		AG, SF	90	0	0	0	2	135,104					partial	none	partial		urban development	6-20	Part of area not currently in City's CCN.
F	City of Fort Worth		SF, INST	1,343	4	4	0	11	3,210,866					partial	partial	partial		urban development	6-20	Part of area not currently in City's CCN.
G	None, City of Fort Worth		SF, INFRA	1,618	1	1	0	7	1,356,235					partial	none	partial		urban development	6-20	Part of area not currently in City's CCN.
H	City of Fort Worth, None		AG, SF, MDR, NC, GC, MUGC, LI, INFRA, PRPK	7,296	0	0	0	11	20,114,154									N/A. Annexed for limited purposes in 2003.	6-20	Wash Ranch limited-purpose annexation area subject to 54903 contract with property owners and City decision by 5/29/26.
I	City of Fort Worth		SF, LI	755	0	0	0	11	4,028,361					partial	partial	partial		urban development	6-20	Part of area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years.
J	City of Fort Worth		MUGC	276	0	0	0	9	30,161,287									N/A. Annexed for limited purposes in 2004.	6-20	Edwards-Geren limited-purpose annexation area subject to City decision by 12/31/14.
K	Tarrant County		SF	62	0	0	0	1	537,280					partial	none	partial		urban development	6-20	Area not currently in City's CCN.
L	Tarrant County		SF	28	1	1	0	0	93,470					none	none	none		urban development	6-20	Area not currently in City's CCN.
M	Johnson County Rural		SF	117	3	2	0	0	428,700					none	none	none		urban development	6-20	Area not currently in City's CCN.
N	Suttrack USA Inc.		AG	2,177	0	0	0	32	14,906,871									urban development	6-20	Area not currently in City's CCN.
O	Aqua Utilities, Inc.		SF, NC	546	316	150	168	30	49,183,249									urban development	6-20	Populated area not currently in City's CCN.
P	City of Fort Worth		SF, NC, LI, INFRA	2,822	16	12	47	0	16,971,869									urban development	6-20	Staff does not anticipate ability to provide services in 5 years.
R	Aqua Utilities, Inc.		SF	2,270	0	0	32	0	8,271,026									urban development	6-20	Part of area not currently in City's CCN. Staff does not anticipate ability to provide services in 5 years. U48
S	City of Fort Worth		SF	147,814	0	0	0	5	754,960									urban development	6-20	Staff does not anticipate ability to provide services in 5 years.

Areas with gray shading contain or are anticipated to contain 100 or more dwelling units and will be added to the City's annexation plan when appropriate.

\* The City of Fort Worth may wish to consider an interjurisdictional boundary adjustment whereby these areas would be annexed by the City of Saginaw.

\* The City of Fort Worth may wish to consider an interjurisdictional boundary adjustment whereby these areas would be annexed by the City of Keller.

